

1761

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**PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION**

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JUL 01 2004

TO: The Honorable Commissioner
Attention: Drew E. Becker
Art Unit 1761

FROM: David H. Brinkman

Fax No.: (703) 872-9306

Phone: (513) 241-2324

Date: July 1, 2004

Fax: (513) 241-6234

Pages (including cover page): 9

Re: U.S. Serial No. 09/904,151 MULTI-TIER ROTARY GRILL
Attorney Docket No. GME-137

ATTACHMENTS/COMMENTS: OFFICIAL

Please deliver to Drew E. Becker
Response Transmittal (3 pages)
Response (5 pages)

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted
to the Patent and Trademark Office centralized facsimile number (703)
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I hereby certify that this correspondence is being deposited via facsimile to The Honorable Commissioner in the United States Patent and Trademark Office, Attention: Drew E. Becker whose telephone number is (571) 272-1396 and fax number is (703) 872-9306 on July 1, 2004.

David M. Brickman, Reg. No. 40,532

Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

Applicants: Evans et al.
Serial No.: 09/904,151
Filed: July 12, 2001
Confirmation No.: 2466
Group Art Unit: 1761
Examiner: Becker, Drew E.
Title: MULTI-TIER ROTARY GRILL
Atty Docket: GME-137

Cincinnati, Ohio 45202

July 1, 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TRANSMITTAL

1. Transmitted herewith is an amendment for this application.
2. X Small Entity status is claimed.
 Other than a Small Entity.
3. The fee has been calculated as shown below:

Page 1 of 3

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		LARGE ENTITY	
Claims Remaining After Amendment		Highest No. Previously Paid For		Extra	Present Rate	Fee	Present Rate	Fee
TOTAL	24	MINUS	24	= 0	x \$9	\$0	x \$18	\$0
INDEP.	4	MINUS	4	= 0	x \$43	\$0	x \$86	\$0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$145	\$0	+ \$290	\$0
TOTALS					TOTAL FEE	\$0	TOTAL FEE	\$0

- ☆ If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 ☆☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

X No additional fee for claims is required.

4. Attached is a check in the sum of \$_____.

_____ Please charge my Deposit Account No. 23-3000 in the amount of \$_____.

A duplicate copy of this sheet is attached.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

(a) _____ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
one month	\$ 110.00	\$ 55.00
two months	\$ 420.00	\$210.00
three months	\$ 950.00	\$475.00
four months	\$1,480.00	\$740.00

Attached is a check in the amount of \$_____ for the three month extension fee as required by 37 C.F.R. § 1.17(c).

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

_____ An extension for _____ months has already been secured and the fee paid thereof of \$_____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$_____.

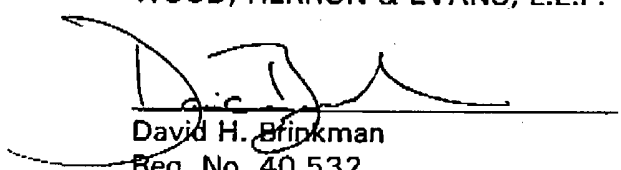
OR

(b) XX Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

XX If any additional fee for claims or extension of time is required, charge Account No. 23-3000. A duplicate of this transmittal is attached.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.


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